

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION

## MOTION TO CONTINUE

COMES NOW Defendant Robin Parker, by and through counsel Alison Hershewe, and moves for a continuance of the trial setting in the above-captioned case. In support, counsel states:

1. The matter currently is set on the December 2019 joint criminal trial docket beginning December 2, 2019. Counsel requests until the March 2020 trial docket or a date thereafter for the following reasons.

2. Counsel believes this case will very likely to be disposed of without the expense of a trial but needs additional time to investigate, research, complete discovery, pursue necessary plea negotiations, to

thereafter possibly make necessary revisions to the factual basis and sentencing guideline calculations of a potential plea agreement, and thereafter to review the potential new items of discovery and plea agreement with Defendant.

3. Initial discovery provided in the case is voluminous and additional discovery is expected. Counsel needs time to do follow-up investigation and research, especially regarding two items of discovery that only recently became available within the last week.

4. Both discovery items could affect stipulations and facts contained in a potential plea agreement and Ms. Parker's potential preliminary Sentencing Guidelines calculations; therefore, defense counsel needs additional time in order to effectively advise Ms. Parker about her legal rights, sentencing guidelines, and options in this case.

5. If a trial is necessary, defense counsel needs until March of 2019 to prepare, given the volume and content of discovery and the witnesses she believes may need to be called to testify. Additionally, after following up on the two new items of discovery previously

mentioned, there may be additional discovery yet to be completed that is relevant to plea negotiations and potential guideline calculations.

6. Ms. Parker has been on bond since December of 2018. She is employed, has regular contact with her pretrial supervising officer, undergoes outpatient dual diagnosis counseling, and is on the Code-a-Phone random drug testing protocol, wherein she calls in every day and appears for a drug test within a few hours when randomly selected. She has always appeared for and cooperated with all drug testing requested by pretrial services, even before being placed on the Code-a-Phone, and since being on the Code-a-Phone, she has not failed a drug test.

7. This continuance is not sought for purpose of dilatory delay but is sought so that Ms. Parker may be afforded due process of law under the Fifth and Sixth Amendments to the United States Constitution. In accordance with 18 U.S.C. 3161(h)(7)(A) and (B)(iv), it is submitted that the ends of justice served by this continuance outweigh the best interests of the public and Ms. Parker, in a speedy trial as required by 18 U.S.C. 3161(c)(1).

8. Counsel communicated with Assistant U.S. Attorney Josephine Stockard who is prosecuting the case about this request for continuance; she indicated she had no objection.

9. Counsel discussed this request with defendant and advised her about her speedy trial rights. She understands the reasons for this continuance request and believes that it is in her best interests.

WHEREFORE, Defendant respectfully requests that the trial setting of the matter be continued until the March 2020 joint criminal trial docket or after such time as the Court orders.

Respectfully submitted,

*/s/ Alison Hershewe*

Alison Hershewe  
Attorney for Defendant Robin Parker

CERTIFICATE OF SERVICE

I hereby certify that on November 5, 2019, the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the Assistant United States Attorney, Springfield, Missouri, and all other counsel of record.

*/s/ Alison Hershewe*

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